

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

\*

CRIMINAL DOCKET NO. 09-036

\*

v.

SECTION: "L"

\*

HECTOR ANTONIO MALDONADO-ESCALANTE

a/k/a Juan Casto

\*

a/k/a Jose Castro Hiraeta

a/k/a Juan Casto Ramirez

\*

a/k/a Juan Ramirezcastro

a/k/a Jose Hiraeta

\*

a/k/a Juan Ramirez

a/k/a Juan Ramirez-Castro

\*

a/k/a Jose Antonio Rodriguez

\* \* \*

**FACTUAL BASIS**

\_\_\_\_\_ Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the indictment now pending against the defendant:

The Defendant, **HECTOR ANTONIO MALDONADO-ESCALANTE** (hereinafter "**MALDONADO**") has agreed to plead guilty as charged to the one-count indictment charging him with illegal reentry of a removed alien in violation of Title 8, United States Code, Section 1326(a).

A Customs and Border Protection (hereinafter "CBP") Senior Patrol Agent (hereinafter

“agent”) would testify that on or about January 19, 2009, he encountered the defendant, **MALDONADO**, during routine operations at the New Orleans Greyhound transportation hub in Orleans Parish, in the Eastern District of Louisiana. Upon determining the defendant was illegally in the United States, the defendant was detained and arrested by the CBP agent.

The CBP agent would testify that upon questioning **MALDONADO** under oath after being read him his *Miranda* rights, the defendant stated that he was a citizen of El Salvador and illegally in the United States. The Officer confirmed the defendant’s illegal status through the CBP computer database.

Documentation from the records of Immigration and Customs Enforcement Alien file, including a Warrant of Removal/Deportation, complete with the defendant’s fingerprints, photographs and signature, would demonstrate that the defendant, **MALDONADO**, was removed from the United States to Mexico on about May 13, 2005, at or near Calexico, California. A qualified Kenner Police Department Fingerprint Examiner would testify that the fingerprints of the individual documented in the Immigration and Customs Enforcement Alien file containing the Warrant of Removal/Deportation and the fingerprints of the defendant are the same.

A Certificate of Non-Existence of Record would show that the defendant, **MALDONADO**, did not receive consent from the United States Attorney General or his designated successor, the Secretary of the Department of Homeland Security, to apply for readmission or receive permission to reenter the United States since the time of the defendant’s previous removal.

Further, documents, court records and other admissible evidence would show that on or about November 5, 1996, in the Superior Court of Los Angeles County, California, the defendant,

**MALDONADO**, was convicted of possession for the purpose of sale of cocaine base, an aggravated felony.

---

ROBERT WEIR  
Special Assistant United States Attorney  
Mississippi Bar No. 101464

Date

---

HECTOR ANTONIO MALDONADO-ESCALANTE  
Defendant

Date

---

SAMUEL SCILLITANI  
Assistant Federal Public Defender  
LA Bar Roll No. 19825  
Attorney for the Defendant

Date